

REMARKS

Applicants cancel claims 16, 18-19, and 34. Claims 2, 12, 27, 29, 36, and 38 have previously been canceled. Claims 1, 3-11, 13-15, 17, 20-26, 28, 30-33, 35, 37, and 39 are now pending in the application. Applicants amend independent claims 1 and 25-26 to incorporate features that correspond to those of canceled claims 16 and 18-19, amend claims 28, 35, 37, and 39 to incorporate features that correspond to those of canceled claim 34, and amend claims 17 and 20 for proper dependency. No new matter has been added.

Applicants, again, respectfully request that the Examiner acknowledge the priority claim and receipt of all certified copies of the priority documents for this application.

Applicants also request the Examiner to indicate acceptance of the drawings.

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Applicants amend claim 1 for consistent antecedent basis for the claimed “user identification information” feature, and respectfully request that the Examiner withdraw the § 112, ¶ 2 rejection.

Claims 1, 7-8, 13, 16-22, and 24-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0203638 to Chan et al.; claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al.; claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication No. 2002/0116268 to Fukuda; claims 5-6, 9-11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication No. 2003/0037243 to Gruteser et al.; and claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of U.S. Patent Application Publication No. 2003/0120745 to Katagishi et al. Applicants amend

independent claims 1 and 25-26 to incorporate features that correspond to those of canceled claims 16 and 18-19, and respectfully traverse the rejections.

Chan et al. describe a service delivery system where a token reader 20, 22, 24 reads a token ID identifying token 44, 46 (including wireless tag), and the token ID is transmitted to a service manager 12. And the service manager 12 calls a service (E-mail service, etc) when the manager 12 receives a token ID—please see, e.g., paragraphs [0019]-[0034], [0037]-[0038], and Figs. 1 and 3).

Chan et al., as cited and relied upon by the Examiner, do not disclose, however,

“[a] messaging system comprising:
a terminal sending user identification information of a user using the terminal; and
a messaging server holding content which corresponds to the user identification information of the user, and delivering the content on a receipt of the user identification information sent from the terminal, wherein
by wirelessly communicating with a wireless tag which is carried by the user and which stores the user identification information of the user, the terminal reads the user identification information from the wireless tag and sends the read user identification information to the messaging server,
the terminal stores in advance terminal identification information and a terminal address of the terminal and sends the stored terminal identification information and the terminal address to the messaging server together with the user identification information, and
the messaging server registers the terminal identification information and the terminal address related with the user identification information and sends the content to the terminal based on the terminal address,
the messaging server acquires the content from a content server that holds contents, and
the messaging server acquires the content from the content server at a predetermined period, and, if generated time or updated time of newly acquired content is different from generated time or updated time of the last acquired content or if details of newly acquired content is different from details of the last acquired content, delivers the newly acquired content to the terminal,” as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claims 7-8, 13, 15, 17, 20-22, and 24 dependent therefrom, is patentable over Chan et al. for at least the foregoing reasons. Claims 25-26 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Chan et al. for at least the same reasons.

The Examiner relied upon Fukuda, Gruteser et al., and Katagishi et al. as combining references to specifically address the additional features recited in dependent claims 3-6, 9-11, 14, and 23, respectively. As such, the additions of these references would still have failed to cure the above-described deficiencies of Chan et al., even assuming, arguendo, that such additions would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicant respectfully submits that claims 3-6, 9-11, 14, and 23 are patentable over the cited references for at least the foregoing reasons.

Claims 28, 30-35, 37, and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al. in view of Applicants' Admitted Prior Art ("AAPA"). Applicants amend claims 28, 35, 37, and 39 to incorporate features that correspond to those of canceled claim 34, and respectfully traverse the rejection.

The Examiner contended that, according to the cited references, a "modified terminal is configured to access or browse...requested information based on received URLs." Page 15, lines 4-6 of the Office Action. The cited references, as relied upon by the Examiner, do not suggest, however, user ID being set in the content.

Thus, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Chan et al. and AAPA, such a combination would still have failed to disclose or suggest,

"[a] messaging system comprising:
a terminal sending user identification information of a
user using the terminal;
a home agent address management server holding an
address or identification information which corresponds to the

user identification information, and returning the address or identification information on a receipt of the user identification information sent from the terminal;

a content sending server sending out content; and

a home agent server which is accessed by the terminal based on the address or identification information returned from the home agent address management server, receiving the content sent from the content sending server, and delivering the content to the terminal, which is accommodated by the home agent server, on a receipt of the user identification information sent from the terminal, wherein

by wirelessly communicating with a wireless tag which is carried by the user and which stores the user identification information of the user, the terminal reads the user identification information from the wireless tag and sends the read user identification information to the home agent address management server,

if a plurality of users desiring the same content are present and if the plurality of users are accommodated in the same home agent server, the content sending server when sending the same content sets up in the content the user identification information of the plurality of users and send it to the home agent server, and

the home agent server delivers the content to each terminal of the plurality of the user identification information which is set up in the content sent from the content sending server,” as recited in claim 28. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 28, together with claims 30-33 dependent therefrom, is patentable over Chan et al. and AAPA, separately and in combination, for at least the foregoing reasons. Claims 35, 37, and 39 incorporate features that correspond to those of claim 28 cited above, and are, therefore, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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